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SENATE BILL 2558 By
Cooper

HOUSE BILL 2742
By Kisber

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 1, Part 1 and Title 6, Chapter 54, Part 1, relative to authorizing municipalities and counties to obtain certain information for applicants applying for a position to work with or requiring proximity to children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. (a) A municipality may require all persons applying for a position to work with or requiring proximity to children to:

(1) Agree to the release of all investigative records to the municipality for the purpose of verifying the accuracy of criminal violation information contained on an application to work with or requiring proximity to children; and

(2) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation. In addition, to the extent permitted by federal law, and at the discretion of the municipality, a check of such prints may be made against records maintained by the federal bureau of investigation.

(b) Any costs incurred by the Tennessee bureau of investigation or the federal bureau of investigation, as appropriate, in conducting such investigations of applicants shall be paid by the municipality requesting such investigation and information; provided, that the municipality may require an applicant to pay such costs if the applicant is offered and accepts a position to work with or requiring proximity to children. Payment of such costs are to be made in accordance with the provisions of § 38-6-103.

SECTION 2. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. (a) A county may require all persons applying for a position to work with or requiring proximity to children to:

(1) Agree to the release of all investigative records to the county for the purpose of verifying the accuracy of criminal violation information contained on an application to work with or requiring proximity to children; and

(2) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation. In addition, to the extent permitted by federal law, and at the discretion of the county, a check of such prints may be made against records maintained by the federal bureau of investigation.

(b) Any costs incurred by the Tennessee bureau of investigation or the federal bureau of investigation, as appropriate, in conducting such investigations of applicants shall be paid by the county requesting such investigation and information; provided, that the county may require an applicant to pay such costs if the applicant is offered and accepts a position to work with or requiring proximity to children. Payment of such costs are to be made in accordance with the provisions of § 38-6-103.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.